

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, October 8, 2002, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Chamberlain
Kramer
Littman
Pennington
Starr
Storrs
Vleck
Waller
Wright

Absent

Also Present:

Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney

2. PUBLIC COMMENTS

No public comments

SITE PLANS

3. SITE PLAN RENEWAL (SP-673) – Office Properties LLC, Proposed Office Building, North side of Big Beaver, East of Rochester Rd., Section 23 – O-1 & P-1

Mr. Savidant presented a summary of the Planning Department report for the Office Properties LLC, proposed Office Building.

Mr. Chamberlain asked if this Site Plan was any different than the one we approved a year ago?

Mr. Savidant replied no. It is the exact same plan.

Mr. Kramer asked would this Site Plan fall under or not fall under our eight (8) foot sidewalk requirement?

Mr. Savidant replied, yes it would.

Mr. Kramer asked, do we have that on this?

Mr. Savidant stated there is an eight (8) foot sidewalk currently on Big Beaver, basically, the whole length of the mile road.

Dale Garrett, 5877 Livernois, stated that he would be happy to answer any questions the Commission may have.

Mr. Starr asked about the simulated brick screening wall and if simulated brick was going to be used on both sides?

Mr. Garrett replied yes.

RESOLUTION

Moved by Vleck

Seconded by Wright

RESOLVED, that Preliminary Site Plan Approval, as requested for the Office Properties LLC, proposed office building, located on the north side of Big Beaver Road and east of Rochester Road, located in section 23, within the O-1 zoning district is hereby granted subject to the following condition:

1. That the simulated brick will be used on both sides of the screening wall.

Yeas:

All present (9)

Nays:

Absent

MOTION CARRIED

REZONING PROPOSALS

4. PUBLIC HEARING - PROPOSED REZONING (Z-683) – Proposed Al Zouhayli Medical Office Building, North side of Big Beaver, West of John R, Section 23 – R-1E to P-1 (1.5 acres) & E-P (0.4 acres)

Mr. Savidant presented a summary of the Planning Department report for the proposed Al Zouhayli Medical Office Building.

Dave Donnellon, 2151 Livernois, stated he was the architect representing the owner of the property. In terms of the presentation that was just given he would recommend that that Commission look at Alternative "A" and the aerial photo. It is true that we are kind of mirroring what's going on at the San Marino Club. In terms of the Land Use Plan, what we proposed is that E-P is a quality opportunity

to separate business from residential. Although you do not have to have E-P adjacent to residential, he suggested to the owner that this is a benefit to the community.

Mr. Chamberlain asked what is the meaning of the diagonal lines on the drawing? What does that represent?

Mr. Donnellon replied, an underground pipeline and commented that this pipeline is beginning to impact this particular piece of property and the way you would be able to put houses on it. That's another reason why we started to move the parking a little bit further back. We can utilize that area south of the pipeline and allow a little bit of that pipeline be the backsides of the lots, and then as you go further to the east, it could pick up and carry on and be more residential on the east side of our property.

Mr. Kramer asked, on the property between what's controlled by the petitioner and the San Marino Club, if the P-1 zoning was extended on your property, that would pretty much lock in to the property to the east of your property as non-residential.

Mr. Donnellon replied it would. However, these are very narrow pieces of property.

Mr. Kramer asked, then what we're looking at here is whether we want the northern end of those two (2) properties, the one before us tonight and the one to the east, to develop as non-residential. You could get in a double-loaded street if it stayed residential, but as you indicated, you would have residential backing up to more likely parking or O-1, without an E-P.

Mr. Donnellon replied, correct. Without the band of E-P it would require that the property to the east should be developed consistently so that the northern fifty (50) feet would be E-P and that E-P line would carry right through the San Marino Club down around to the west side of the subject parcel.

Mr. Waller asked, can you put any structure on top of the gas pipeline. Is a road a legitimate use above a pipeline?

Mr. Savidant replied that it is his understanding that you can place a road but not a building or a structure on top of it.

Mr. Waller stated that having that as a response, one of the things that would be potentially very difficult to do would be to develop residential lots in the northern area of the property. If the P-1 just goes straight across as shown in Alternative "A", that potentially isolates some land on the south side of the diagonal pipeline that might make that particular area awfully hard to build in to meet Troy's lot size and setbacks, etc.

Mr. Donnellon stated that's especially true with the subject parcel although it's less true with the parcel to the east. But in combination as you head further east, the so-called pattern that is already set to the east is kind of being spilled over just a little bit and we have the most difficult parcel to develop residentially. One or the other of these two patterns come into play.

Mr. Wright stated that if we were to follow Alternative "A" at least three (3) and possibly four (4) of those residential lots would be unbuildable because of that gas pipeline. He stated that he personally feels that it makes more sense the way the petitioner has presented it.

Public hearing opened and closed.

Mr. Chamberlain stated that there are a few alternatives that exist. One of the things he thought should have been brought to the Commission by either the petitioner or the City on Alternative "A" was how would you put a lot down in there off the roads built on the land to the west and develop this as single-family residential. If we need to do that or if we need that in our records, we need to table this. I'm not sure we need to table this because if we agree with the developer, his recommendation on how he wants to rezone this would probably fit better on this pipeline, we can go forward on that. If we are not for that and we look at Alternative "A", he would want to have City Staff or someone look at how we would build this thing before we make a decision.

Mr. Kramer asked the petitioner about the E-P buffer he is proposing, is it consistent with the E-P size or depth that exists at the San Marino Club?

Mr. Donnellon replied, that's correct.

Mr. Waller asked Mr. Donnellon about his drawing and that the petitioner shows that E-P starting at the eastern property line comes straight west and then is on a 45 degree down the pipeline boundary and then drops south before it turns and goes to the west edge. So that corner would be cut off and would be part of E-P?

Mr. Donnellon replied, that's correct. Everything over the pipeline would be E-P.

Mr. Waller stated that means there's even more area that could be used by the people behind.

Mr. Starr asked the petitioner if he knows approximately how large a building they could put on with Alternative "A" and how large a building on his recommendation?

Mr. Donnellon replied he believed it to be 15,000 square feet on Alternative "A" and 22,000 square feet on the submitted site plan.

Mr. Kramer asked if that limitation was based on the size of the lot and the setbacks or based on the parking?

Mr. Donnellon replied that it was based on the parking.

RESOLUTION

Moved by Waller

Seconded by Pennington

RESOLVED, that the Planning Commission hereby recommends to the City Council that the R-1E to P-1, being 1.5 acres in size, and to E-P, being 0.4 acres in size, rezoning request, located on the north side of Big Beaver Road and west of John R Road within Section 23, be granted as submitted by the petitioner and that the E-P run as indicated by the drawing dated 10-8-02, Rezoning Request, Dr. Kheir Al-Zouhayli, Option for North portion of property Remaining R-1E, Single Family Residential.

Mr. Littman stated that if we didn't do this rezoning as requested by the petitioner, we would end up with unbuildable land lots. He asked Mr. Savidant if he could bring to the Commission something that would show its potential of being developable, or is our assumption correct, that if we didn't rezone it, we would have useless pieces of land left? Useless in the sense that it wasn't buildable.

Mr. Savidant asked, is your question that we bring you a sketch to show you the build-up potential on that piece of property?

Mr. Littman replied, yes.

Mr. Savidant replied, we could. However, how much of it would be rendered unbuildable, we would have to wait and see what the sketch looked like based on the location of the pipeline.

Mr. Starr asked if in our motion, could we nail down that the E-P runs as drawing dated 10-8-02, Rezoning Request, Dr. Kheir Al-Zouhayli, Option for North portion of property Remaining R-1E, Single Family Residential indicates.

Mr. Chamberlain asked if Mr. Waller and Ms. Pennington agreed to that.

Mr. Waller and Ms. Pennington replied yes.

Mr. Kramer stated that because this is a recommendation to City Council, he would like to add to Mr. Waller's motion a couple reasons for our motion.

Mr. Waller and Ms. Pennington agreed.

RESOLUTION

Moved by Waller

Seconded by Pennington

RESOLVED, that the Planning Commission hereby recommends to the City Council that the R-1E to P-1, being 1.5 acres in size, and to E-P, being 0.4 acres in size, rezoning request, located on the north side of Big Beaver Road and west of John R Road within Section 23, be granted as submitted by the petitioner and that the E-P run as indicated by the drawing dated 10-8-02, Rezoning Request, Dr. Kheir Al-Zouhayli, Option for North portion of property Remaining R-1E, Single Family Residential for the following reasons:

That being that the E-P of this motion is consistent with the E-P area of the San Marino Club providing a future buffer to residential development to the north and the difficulty of developing the parcel as residential due to the pipeline crossing the northwest corner.

Yeas:

All present (9)

Nays:Absent

MOTION CARRIED

5. PUBLIC HEARING - PROPOSED REZONING (Z-684) – Proposed Big Beaver Business Park, South side of Big Beaver, West of John, Section 26 – M-1 to R-C 19.7 acres

Mr. Savidant presented a summary of the Planning Department report for the proposed Big Beaver Business Park.

Mr. Storrs asked how does the Planning Department reconcile the additional loss of the M-1 zoning for future development? We've changed an awful lot of M-1 zoning to R-C. We don't have much M-1 left.

Mr. Savidant stated that it is true that it is a loss of 19 acres of M-1 light industrial; however, R-C is an industrial related zoning. It is compatible with M-1 in that respect.

Mr. Storrs stated his concern was that if we are going to try and provide a full range of jobs for the citizens of Troy, seems like we need some M-1.

Mr. Chamberlain stated that Mr. Storrs should visit our current M-1 that is built up and there are a tremendous amount of realty signs on them.

Mr. Storrs stated that we have an economic problem right now.

Mr. Chamberlain stated that's true; however, we still have a large quantity of M-1 regardless of whether this 19 or 20 acres goes away. Remember, it was an airport.

Mr. Waller stated that a waiver of a tree preservation plan apparently happened in 1999. Was there any provision in the ordinances of the City that this plan can be waived? If it's required when the ordinance was drafted, did it allow it to be waived?

Ms. Lancaster stated that the tree preservation plan falls within, basically, almost part of a Site Plan approval type of condition. In other words, if you had a requirement and you didn't comply with it, the Building Department would not have to give you a Certificate of Occupancy. Basically, it's not something that we deal with in terms, it's more or less a standard, it's not an ordinance as such, but it is a standard adopted by City Council. I am not sure altogether what this waiver includes. I imagine that a lot of the Tree Preservation Ordinances require deposits and tree tagging and making sure that certain requirements are met and possibly because of the site, it wasn't necessary in this particular case.

Mr. Waller stated that we recently had another circumstance where there was a waiver of a tree preservation plan and we also know that our tree preservation plan really is kind of misnamed because you go log them, make sure they are shown on a piece of paper, and then you cut them all down. So I just wanted to have this interchange made available for people who are interested.

Kevin Shay, 26957 Northwestern Highway #140, Southfield, stated he is the Regional Vice-President of Liberty Property Trust. The reason for the rezoning is to broaden the opportunities for us to retain the strong industrial corporations that are already in Troy. We are here today in order to provide us the flexibility to keep some of those corporate headquarter type clients and engineering companies that need the combination between their headquarters and engineering and industrial uses in the same facility.

Mr. Waller stated there there's an interesting kind of tail on this request that goes off to the southeast. In the information that's given, you don't show it being used for a possible building and it's kind of like a teardrop that's been elongated. What are you going to do with that?

Mr. Shay stated that there is an easement that follows the creek, which is on the south side of the property, and that is a stand of trees. There really are no other trees on the property because it was an airport. That little teardrop is primarily in the flood plain. So, the only thing I could theoretically use part of it for would be parking. However, as a practical matter, there's very little I can do with it. I can't build a building on it. So it will most likely continue on forever as being what it is now.

Mr. Waller asked so it could be with trees, some picnic tables, it could be considered an amenity?

Mr. Shay agreed. That is something we had considered it for.

Public hearing opened and closed.

RESOLUTION

Moved by Littman

Seconded by Kramer

RESOLVED, that the Planning Commission hereby recommends to the City Council that the M-1 to R-C rezoning request, being 19.7 acres in size, located on the south side of Big Beaver Road and west of John R Road within Section 26, be granted.

Yeas:

Vleck

Wright

Kramer

Pennington

Waller

Chamberlain

Littman

Starr

Nays:

Storrs

Absent

Mr. Storrs stated he is concerned about the loss of M-1 zoning.

MOTION CARRIED

6. ADJOURN

The Regular Meeting of the Planning Commission was adjourned at 8:20 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director